

Appl. No. 10/006,569

REMARKS

The courtesies extended by Examiner Olszewski to David R. Murphy during a recent telephone conversation are acknowledged with appreciation. During that brief telephone conversation, the Examiner was advised of the transmission to her of a declaration showing unexpected results when Hinokitiol was compared to the peracetic acid of the prior art. The showing is made in the document entitled "Declaration Under 37 C.F.R. § 1.132", attached hereto and filed concurrently herewith.

Unfortunately, the attached declaration is not signed. It may also be true that some of the figures in the declaration are less clear than might be ideal. The assignee, who is located abroad, has been asked to provide a fully signed declaration with clearer figures. As soon as such declaration is received, it will be hand carried to the Examiner. The patience of the Examiner is appreciated.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact David R. Murphy (Reg. No. 22,751) at the telephone number of the undersigned below, to conduct an interview

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in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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Attachment(s): Declaration Under 37 C.F.R. § 1.132

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